

PTO/SB/21 (02-04)

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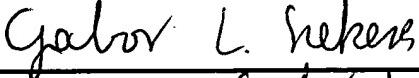
TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number	10/620,252		
Filing Date	July 15, 2003		
First Named Inventor	Garst		
Art Unit	1625		
Examiner Name	Morris, Patricia L.		
Total Number of Pages in This Submission	18	Attorney Docket Number	626-07-PA

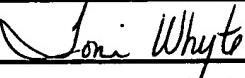
ENCLOSURES (Check all that apply)		
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Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Gabor L. Szekeres
Signature	
Date	May 19, 2004

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Typed or printed name	Toni Whyte		
Signature		Date	5-19-04

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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of Garst et al.) Art Unit 1625
) Examiner: Morris, P. L.
Serial No.: 10/620,252)
Filed: on July 15, 2003)
For: PRODRUGS OF PROTON)
PUMP INHIBITORS)

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Tony Whyte
Tony Whyte

Date: 5-19-04

AMENDMENT AND RESPONSE TO OFFICE ACTION

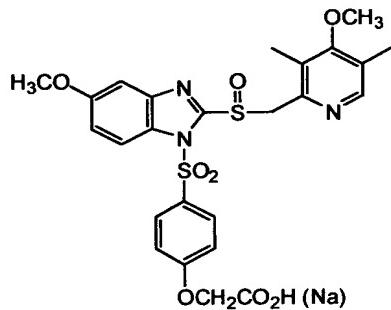
Commissioner for Patents
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Alexandria VA 22313-1450

Dear Sir:

In response to the Requirement for Restriction dated April 22, 2004, applicant elects **Group I** of the claimed subject matter, as that group is

designated in the Requirement. The variable **R** in the elected group is shown by formulas **(i)** and **(iii)** in Claim 1.

In response to the Requirement for Election of Species applicant elects **Compound 9**, as a free acid or a pharmaceutically acceptable salt, such as the sodium salt. Compound 9 is shown by the formula below.



Compound 9

Compound 9 is described and shown, as applicable, on pages 75 – 77, 172 and 176 – 178 in the specification. On pages 75 – 77 Compound 9 is shown and described as a mixture with its isomer Compound 10, whereas on pages 172 and 176 – 178 the preparation of isomerically pure Compound 9 is described.

Claims 1, 3, 6 – 8, 10, 11, 13, 14, 18, 20, 21, 23, 24 and 28 – 32 read on the elected compound.

The Requirements for Restriction and Election of Species are respectfully traversed on the basis that, in applicant's opinion, a search directed to the entire subject matter of the claims would not present an undue hardship.

Please AMEND the above-identified application as follows:

IN THE CLAIMS: Please Cancel Claim 33 and amend Claims 1 and 16 as set forth below in the Complete Listing of All Pending Claims.